



# Manistee County Board of Commissioners

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

CHAIRPERSON  
Allan O'Shea

VICE-CHAIRPERSON  
Janice McCraner

Kathy Fenstermacher  
Edward Haik  
Ervin Kowalski  
Glenn Lottie  
Carl Rutske

CLERK

Marilyn Kliber  
(231) 723-3331

CONTROLLER/ADMINISTRATOR

Thomas Kaminski  
(231) 398-3500

DRAFT

## POLICY COMMITTEE

Friday, October 3, 2008  
10:30 A.M.

Courthouse & Government Center  
Board of Commissioner's Room

## MINUTES

Members Present: Carl Rutske, Chairperson, Edward Haik and Allan O'Shea

Others Present: Thomas Kaminski, County Controller/Administrator; Karen Molby,  
Personnel Officer/Administrative Assistant

The meeting was called to order at 10:30 A.M.

### ITEMS REQUIRING BOARD ACTION

The Committee discussed various concerns they had regarding the upcoming Revenue Sharing Board's fund distribution process. There was concern expressed on how the PILT funds were currently being disbursed with one of the concerns being that it causes a lack of funds to be available for any grants other than Public Safety grants. There was also concern expressed that there is not a clear definition of what public safety encompasses. It was felt that public safety should only include police, fire and EMS functions. After a lengthy discussion, the following recommendations were made:

**Mr. Haik recommended that the County's representative on the Revenue Sharing Board be instructed not to vote for any grants until a specific definition of public safety be determined and that the same should only include police, fire and EMS functions. No alternative recommendation was proposed.**

**Mr. Rutske recommended that the County's representative on the Revenue Sharing Board be instructed to request that the Revenue Sharing Board answer how future PILT distributions will be handled prior to their December 2008 meeting. No alternative recommendation was proposed.**

The Committee reviewed several Resolutions from other Counties. After reviewing the same,

**Mr. Haik recommended that the County Board pass a resolution supporting House Bill 5398 to amend the Michigan Vehicle Code. No alternative recommendation was proposed. (APPENDIX A)**

All of the other Resolutions will be presented to the County Board at their October for action, if any. (APPENDIX B)

#### ITEMS NOT REQUIRING BOARD ACTION

There was a brief discussion regarding various Road Commission issues. The Committee was informed that the State of Michigan now requires a 4-1 majority vote, rather than the previous 3-2 majority vote, on any action taken by a five member Road Commission Board.

The meeting adjourned at 11:50 P.M.

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Carl Rutske, Chairperson

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Edward Haik, Commissioner

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Allan O'Shea, Commissioner



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Thomas Kaminski  
(231) 398-3500

### RESOLUTION SUPPORTING HOUSE BILL NO. 5398

At a regular meeting of the Manistee County Board of Commissioners held in the Manistee County Courthouse & Government Center, 415 Third Street, Manistee, Michigan, on the 28<sup>th</sup> day of October, 2008.

PRESENT:

ABSENT:

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**WHEREAS**, an individual should not profit from an act that places either citizens or police officers in harm's way; and

**WHEREAS**, House Bill 5398 (currently before the Michigan House Judiciary Committee) will amend 1949 PA 300, the Michigan Vehicle Code, to prohibit an individual from bringing or maintaining an action for personal injury or property damage sustained as a result of the individual's operation of a motor vehicle while fleeing and eluding a police or conservation officer in violation of 602A;

**NOW, THEREFORE, BE IT RESOLVED**, that the Manistee County Board of Commissioners hereby supports House Bill No. 5398;

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to Governor Jennifer Granholm, Senator Michelle McManus, Representative David Palsrok, and the Michigan Association of Counties.

STATE OF MICHIGAN    )  
                                  )ss.  
COUNTY OF MANISTEE )

I, Marilyn Kliber, County Clerk, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Manistee County Board of Commissioners at its regular monthly meeting held on the 28<sup>th</sup> day of October, 2008, by the following vote:

YEAS:

NAYS:

NOT VOTING:

I further certify that the foregoing Resolution is a true, correct and complete transcript of the original of said Resolution appearing on file and of record in my office. I further certify that the meeting was held and the minutes therefore were filed in compliance with Act No. 267 of the Public Acts of 1976.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Manistee this 28<sup>th</sup> day of October, 2008.

CLERK OF THE COUNTY COMMISSION  
MANISTEE COUNTY, MICHIGAN

\_\_\_\_\_  
Marilyn Kliber, County Clerk

## LENAWEE COUNTY BOARD OF COMMISSIONERS

301 N. Main St., Courthouse

Adrian, MI 49221

517-264-4508



## CHAIR

James E. Van Doren

Phone: 517-431-2424

## VICE-CHAIRMAN

Ralph Tillotson

Phone: 517-263-1804

David Stimpson

Jack Branch

Robert Hall

Jason MacKay

Karol "KZ" Bolton

Fred Gallagher

John Tuckerman

## RESOLUTION

**WHEREAS**, the Lenawee County Board of Commissioners recognizes the existence of the administrative rules adopted under the Safe Drinking Water Act, 1976 PA 399, as amended, which provide that new public Type I, Type II or Type III large quantity withdrawal wells, meaning those capable of withdrawing greater than 100,000 gallons per day over a 30 day period, or those wells with the capability to pump 70 gallons or more per minute, are subject to hydrogeologic assessment.

**WHEREAS**, the Lenawee County Board of Commissioners further recognizes that Act 177 of the Public Acts of 2003 provides that owners of small quantity wells may file a complaint with the Michigan Department of Environmental Quality if they believe that their well has been negatively impacted by a high capacity well. If such a complaint is found to be valid and an equitable resolution cannot be achieved, Michigan Department of Environmental Quality (MDEQ) may issue a groundwater dispute order. The owner of the high capacity well may be required to compensate the owner of the small quantity well for damages incurred as a result of the conflict, including; the well driller's assessment of the complainant water supply; obtaining an immediate temporary supply of potable water; restoration of the affected well's normal supply of water or permanent provision of an alternative potable water supply of equal quantity.

**WHEREAS**, the Lenawee County Board of Commissioners further recognizes that owners of small quantity wells that may have been impacted by another low capacity well that is under continual use in low yielding aquifers are not offered any protection under Act 177 of the Public Acts of 2003. An aquifer may be determined to be low yielding if historical well log data suggests limited water availability. The proposal to the DEQ of a low capacity well that is to be continuously pumped, in an area of a low yielding aquifer is a situation where no protection is currently offered to owners of existing low capacity wells that may be impacted.

**THEREFORE BE IT RESOLVED** that the Lenawee County Board of Commissioners requests that the State of Michigan adopt legislation that will provide protection to owners of low capacity wells that may be impacted by another low capacity well, especially those in areas of known low yielding aquifers. The commission further resolves that if low capacity wells are proposed for continuous use, that may adversely affect existing water supplies in areas of low yielding aquifers, that hydrogeologic assessment be required.

**BE IT FURTHER RESOLVED** that the Lenawee County Board of Commissioners further resolve that owners of low capacity wells, that have been adversely affected by a low producing well that is under continual use in a low yielding aquifer, be afforded the opportunity for complaint investigation by the MDEQ as well as subsequent compensation equal to that currently afforded by Act 177.

**BE IT FINALLY RESOLVED** that the Lenawee County Board of Commissioners directs that this resolution be forwarded to MDEQ, DEQ, MDA, other counties, and townships within the State of Michigan.

Passed by roll call vote of the Lenawee County Board of Commissioners at a regular meeting held on Wednesday, September 10, 2008 in the Old County Courthouse, Adrian, MI.

 A handwritten signature in black ink, appearing to read "James E. Van Doren".
   
James E. Van Doren, Chair


 A handwritten signature in black ink, appearing to read "Roxann Holloway".
   
Roxann Holloway, County Clerk

No. 2008-204

**BAY COUNTY BOARD OF COMMISSIONERS****9/9/08  
RESOLUTION**

- BY: COMMISSIONERS BRIAN K. ELDER, 7<sup>TH</sup> DISTRICT AND DONALD J. TILLEY, 9<sup>TH</sup> DISTRICT
- WHEREAS, The Right-to-Work (RTW) laws state that workers can get the benefits of having a union without having to pay any dues or agency fees. Federal law already protects workers who elect not to be members of a union. RTW forces unions to spend members' resources and dues to cover and protect their dues-paying members as well as those who choose not to join. This weakens the union, collective bargaining and the contract. To be fair, everyone should pay their share for negotiating and administering the contract that covers all workers, members and non-members alike; and
- WHEREAS, The National Right-to-Work Committee is funded by large anti-union corporations and insurance companies to ensure that the interests of the most wealthy in the country are served. Right-to-Work laws work to diminish the middle class and further widen the gap between the working poor and the rich; and
- WHEREAS, Right-to-Work laws do not guarantee that states will have a competitive edge. For example, between 1994 and 2005, a RTW state had a greater decline in manufacturing jobs than Michigan. Oklahoma, the only state to adopt RTW laws in 46 years, has lost over 22,000 manufacturing jobs after RTW legislation took effect; and
- WHEREAS, Workers in Right-to-Work states make an average of \$5,900 less per year than their counterparts in non-RTW states: the rate of workplace fatalities is 44% higher in RTW states; a higher poverty and infant mortality level exists in RTW states; RTW states spend \$2,260 less per student on K-12 education; Workers compensation benefits are lower in RTW states; workers in RTW states have fewer health benefits than those in non-RTW states and the population without health insurance was 20% higher in Right-to-Work states; and
- WHEREAS, Right-to-Work laws make it harder for unions to represent workers effectively, with the harmful consequences for both union and non-union workers as well as the communities in which they live; and
- WHEREAS, Bay County has always promoted fair labor practices and labor union goals; and
- WHEREAS, "Right-to-Work" legislation should be opposed on all levels; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners strongly urges opposition to House Bill 4454-4455 and Senate Bill 607-608 and goes on record in opposition to any legislation in the U. S. Congress or the State of Michigan that would make Michigan a Right-to-Work State; Be It Further
- RESOLVED That a copy of this resolution be forwarded to Governor Granholm, Bay County Legislators, all Michigan counties and the Michigan Association of Counties.

BRIAN K. ELDER  
7<sup>TH</sup> DISTRICT BAY COUNTY COMMISSIONER

DONALD J. TILLEY  
9<sup>TH</sup> DISTRICT BAY COUNTY COMMISSIONER

Elder - Right-to-Work Legislation

MOVED BY COMM. Elder

SUPPORTED BY COMM. Tilley

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Richard L. Byrne	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Dawn A. Kilda	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Brian K. Elder	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Patrick H. Beson	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Ernie Krygler	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Eugene F. Gwizdala	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Vaughn J. Begick		<input checked="" type="checkbox"/>		Kim Coonan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Donald J. Tilley	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

VOTE TOTALS:  
ROLL CALL: ☒ YEAS 8 NAYS 1 EXCUSED 0  
VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED ☒ DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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MECOSTA COUNTY RESOLUTION  
#2008-18

CORRECTIONS OFFICERS COMPULSORY ARBITRATION ACT-HOUSE BILL 6112
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**WHEREAS,** House Bill 6112 has been introduced in the House, and

**WHEREAS,** House Bill 6112, if passed, will create a new act known as the Corrections Officers Compulsory Arbitration Act to provide a binding arbitration procedure for the resolution of labor disputes; and

**WHEREAS,** this act would create a procedure that mirrors what is known as Act 312 compulsory arbitration which currently applies to police officers and fire fighters, and not to corrections officers; and

**WHEREAS,** compulsory arbitration of labor disputes has proven to be a costly and time-consuming process by which a third party decides the terms and conditions of collective bargaining agreements instead of the parties themselves; and

**WHEREAS,** compulsory arbitration promotes an adversarial labor-management solution and discourages continued negotiations toward mutually obtained collective bargaining agreements; and

**WHEREAS,** the proposed act has been reviewed by the Board of Commissioners of Mecosta County, now


**THEREFORE BE IT RESOLVED,** that the Mecosta County Board of Commissioners hereby goes on record in strong opposition to HB 6112.

**BE IT FURTHER RESOLVED** that the Mecosta County Clerk be directed to forward copies of this resolution to Governor Jennifer Granholm, Senator Michelle McManus, Representative Darwin Booher, Michigan Association of Counties, and the other 82 Michigan Counties.

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**CERTIFICATION:**

I hereby certify that the foregoing constitutes a true and complete copy of the resolution adopted by the Board of Commissioners of the County of Mecosta, State of Michigan, at a Regular Meeting, held on September 4, 2008.

  
\_\_\_\_\_  
Marcee Purcell, Mecosta County Clerk and Clerk for  
the Mecosta County Board of Commissioners.

## ST. JOSEPH COUNTY

**RESOLUTION NO. 14-2008**  
**OPPOSITION OF HOUSE BILL 6112**

**WHEREAS**, House Bill 6112 has been introduced in the House, and

**WHEREAS**, House Bill 6112, if passed, will create a new act known as the Corrections Officers Compulsory Arbitration Act to provide a binding arbitration procedure for the resolution of labor disputes; and

**WHEREAS**, this act would create a procedure that mirrors what is known as Act 312 compulsory arbitration which currently applies to police officers and fire fighters, and not to corrections officers; and

**WHEREAS**, compulsory arbitration of labor disputes has proven to be a costly and time-consuming process by which a third party decides the terms and conditions of collective bargaining agreements instead of the parties themselves; and

**WHEREAS**, compulsory arbitration promotes an adversarial labor-management solution and discourages continued negotiations toward mutually obtained collective bargaining agreements.

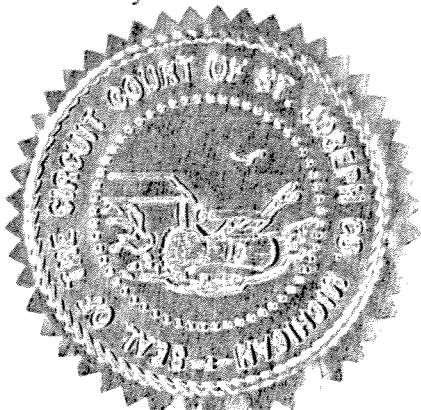
**NOW, THEREFORE, BE IT RESOLVED**, that the St. Joseph County Board of Commissioners hereby goes on record in strong opposition of HB 6112; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Governor Jennifer Granholm, Representative Rick Shaffer, Senator Cameron Brown, the Michigan Association of Counties and the other 82 Michigan counties.

STATE OF MICHIGAN     )  
  ) SS  
COUNTY OF ST. JOSEPH    )

I, PATTIE S. BENDER, Clerk of the St. Joseph County Board of Commissioners and Clerk of the County of St. Joseph, do hereby certify that the above Resolution was duly adopted by the said Board on August 4, 2008

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Court at Centreville, Michigan, this 5th day of August 2008.



*Pattie S. Bender*  
Pattie S. Bender, Clerk